

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MONTANA**

In re:

SHOOT THE MOON, LLC,

Debtor.

Case No. 2:15-bk-60979-WLH

JERRY HALL and JAN HALL,

Plaintiffs,

v.

FIRST INTERSTATE BANK, a Montana
banking corporation, and DOES 1-10,

Defendants.

Adv. Proc. No. 2:22-ap-02009-WLH

**ORDER DENYING MOTION TO
REMAND IN PART**

For the reasons set forth on the record at a hearing held on November 30, 2022, the court denies the pending motion to remand [ECF No. 10] in part. The court will exercise jurisdiction over this matter to the extent necessary to determine whether a 2016 release that was approved and incorporated into a prior bankruptcy court order bars plaintiffs' claims. *See, e.g., Travelers Indemnity Co. v. Bailey*, 557 U.S. 137, 151 (2009); *Mesabi Metallics Co. v. B. Riley FBR, Inc. (In re Essar Steel Minnesota, LLC)*, 47 F.4th 193, 200-202 (3d Cir. 2022).

The parties are to file simultaneous briefs regarding whether the 2016 release encompasses plaintiffs' claims in this litigation on or before **December 23, 2022**. The court will then schedule a further hearing for oral argument regarding this question.

Except to the extent set forth in this order, all issues raised by the motion to remand are preserved and deferred for potential later determination in an appropriate forum.

DATED: November 30, 2022.



WHITMAN L. HOLT
U.S. BANKRUPTCY JUDGE